

PAUL R. ROSENBERGER, ) No. C 06-5324 JF (PR)  
 )  
 Plaintiff, ) ORDER OF DISMISSAL  
 )  
 vs. )  
 )  
 CALIFORNIA SUPREME COURT, )  
 )  
 Defendant. )  
 ) (Docket No. 2)

On August 29, 2006, Plaintiff filed this pro se civil rights complaint pursuant to 42 U.S.C. § 1983 and a motion for leave to proceed in forma pauperis. On that same day the Court sent a notification to Plaintiff that his in forma pauperis application was incomplete because he failed to submit the correct form and accompanying certificate of funds from his prisoner account and a trust account statement showing transactions for the prior six months. The Court provided a copy of the correct form for application to proceed in forma pauperis, along with a return envelope, instructions, and a notification that the case would be dismissed if Plaintiff failed to pay the fee or file the supporting documentation within thirty days. On September 18, 2006, the notification sent to Plaintiff was returned as undeliverable, noting that Plaintiff is no longer in custody and on parole. As of the date of this order, Plaintiff has not filed a completed in form a pauperis application or

1 responded to the Court's notice.

2 Accordingly, this case is DISMISSED without prejudice for failure to pay the  
3 filing fee or file a completed in forma pauperis application. Plaintiff's motion to proceed  
4 in forma pauperis (docket no. 2) is DENIED as moot. No filing fee is due. The Clerk  
5 shall terminate all pending motions and close the file.

6 IT IS SO ORDERED.

7 DATED: 10/19/06

  
JEREMY FOGEL  
United States District Judge

1 This is to certify that a copy of this ruling was mailed to the following:

2 Paul R. Rosenberger  
3 V-24419  
4 Taft CCF  
5 330 Commerce Way  
6 Taft, CA 93268  
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